

REMARKS

REJECTIONS UNDER 35 U.S.C. § 112

The Examiner has rejected claim 13 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner contends that there is insufficient antecedent basis for the limitation "said step of removing". This limitation has been removed in the current amendment and as such, Applicant respectfully asserts this objection has been overcome.

REJECTIONS UNDER 35 U.S.C. § 102 and §103

The Examiner has based all anticipation and obviousness rejections upon U.S. Patent No. 6,491,471 to SUSINSKAS. Namely, the rejections in paragraph 5 are based solely on SUSINSKAS, the rejections in paragraph 7 are based on SUSINSKAS in view of TAJIMA, the rejections in paragraph 8 are based on SUSINSKAS in view of TAJIMA, and the rejections in paragraph 9 are based on USSINSKAS in view of TAJIMA. But, SUSKINSKAS does not qualify as prior art under 35 USC § 102. The present application was filed on February 16, 2000, as a divisional of U.S. Patent Application Serial No. 09/039,849, filed on March 16, 1998, now U.S. Patent No. 6,080,458, which is a continuation of U.S. Patent Application Serial No. 08/606,119, filed on February 23, 1996, now abandoned. Therefore, the priority date of the current application is February 23, 1996. SUSKINSKAS was filed on February 7, 1997 nearly a year after the priority date of the present application. SUSKINSKAS therefore is not prior art as defined by any section 35 U.S.C. § 102. Because each of the Examiner's rejections were based upon SUSKINSKAS, Applicant maintains that the 35 USC §102 and §103 rejections have been overcome without further comment on SUSKINSKAS or TAJIMA.

CONCLUSION

In view of the foregoing amendments and arguments presented herein, the Applicants believe that they have properly set forth the invention and accordingly, respectfully request the Examiner to reconsider the rejections provided in the last Office Action. A formal Notice of Allowance of claims 1-4, 6-8, 10-19, 21-24, and 27-33 is earnestly solicited. Should the Examiner care to discuss any of the foregoing in greater

detail, the undersigned attorney would welcome a telephone call.

No new claims have been added and therefore no additional fees are believed due at this time. Nonetheless, in the event that a fee required for the filing of this document is missing or insufficient, the undersigned attorney hereby authorizes the Commissioner to charge payment of any fees associated with this communication or to credit any overpayment to Deposit Account No. 06-0925.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'AMR', is written over a horizontal line.

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